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November 5, 2005

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/817,211  
For: *METHOD AND DEVICE FOR UTILIZING ANALYTE LEVELS TO ASSIST  
IN THE TREATMENT OF DIABETES, INSULIN RESISTANCE AND  
METABOLIC SYNDROME*  
Inventors: Moerman, Piet H.C.  
Filed: April 1, 2004  
Our Ref. No.: PIW-002

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08;
3. Copies of references cited in PTO Form SB/08 (4);
4. International Search Report; and
5. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:  
MS Amendment, Commissioner for Patents, P.O. Box 1450,  
Alexandria, Virginia 22313-1450 on:

11/05/04  
Date

Anthony A. Laurentano  
Anthony A. Laurentano, Registration No. 38,220

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano  
Registration No. 38,220  
Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Moerman, Piet H.C.

Serial No.: 10/817,211

Filed: April 1, 2004

For: *METHOD AND DEVICE FOR UTILIZING  
ANALYTE LEVELS TO ASSIST IN THE TREATMENT  
OF DIABETES, INSULIN RESISTANCE AND  
METABOLIC SYNDROME*

Attorney Docket No.: PIW-002

Group Art Unit: 1614

Examiner: Not Yet Assigned

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

11/05/04  
Date of Signature and of Mail Deposit

By:

Anthony A. Laurentano  
Anthony A. Laurentano  
Registration No. 38,220  
Attorney for Applicant

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

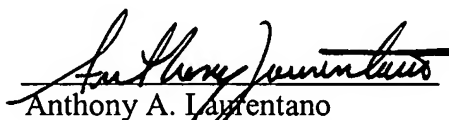
Applicant and his Attorney are aware of the following publications and information, listed on the attached PTO Form SB/08, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. These references were cited in an International Search Report dated March 9, 2004 during the prosecution of PCT/IB2004/001366 which corresponds to the above referenced application. A copy of the report and each cited publication is enclosed. Furthermore, in accordance with 37 CFR

§1.704(d), Applicant notes that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this statement.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicant understands that the Examiner will make an independent evaluation of the cited publications.

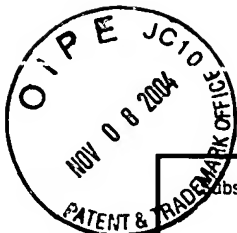
Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

  
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Date: 11/05/04  
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Enclosures



PTO/SB/08a/b (08-03)

Approved for use through 07/13/2008. CMD 0551 0031

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/817,211
				Filing Date	April 1, 2004
				First Named Inventor	Moerman, Piet H.C.
				Art Unit	1614
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	PIW-002

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	A1	WO 01/93743 A2	12-13-2001	Healthetech, Inc.		
	A2	WO 02/05702 A2	01-24-2002	Healthetech, Inc.		
	A3	EP 1225448	07-24-2002	Inverness Medical Technology		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A4	Bonadonna, R.C., <i>et al.</i> "Glucose and free fatty acid metabolism in human obesity. Relationships to insulin resistance." <i>Diabetes Reviews</i> . 1997 Nov 1; 5:21-51.	

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Examiner Signature		Date Considered	
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